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Paper 25
Entered: February 5, 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Human Genome Sciences Inc.,
Junior Party
(Application 11/537,681,
Inventors: Ying-Fei Wei, Brent L. Kreide, and
Craig A. Rosen),

v.

Schering Corporation,
Senior Party
(Patent 6,723,520,
Inventors: Wei Wang, Kurt C. Gish, Thomas J. Schall,
Alain Vicari, and Albert Zlotnik).

Patent Interference 105,697 (RES)
Technology Center 1600

Before: RICHARD E. SCHAFER, JAMESON LEE and
RICHARD TORCZON, *Administrative Patent Judges.*

SCHAFER, *Administrative Patent Judge.*

Judgment - Request for Adverse – 37 C.F.R. § 41.127(b)

1 Schering filed a paper abandoning the contest. Paper 22. An
2 abandonment of the contest is construed as a request for entry of adverse
3 judgment. 37 C.F.R. § 41.127(b)(4).

4 Accordingly, it is

5 ORDERED that judgment on priority as to the subject matter of
6 Count 1 (Paper 1, p. 3), is awarded against Patent 6,723,520;

7 FURTHER ORDERED that claims 1-22 of Patent 6,723,520,
8 corresponding to Count 1, are cancelled (35 U.S.C. § 135(a));

9 FURTHER ORDERED that a copy of this judgment be made of
10 record in the files of Patent 6,723,520 and Application 11/537,681, and

11 FURTHER ORDERED that if there is any settlement agreement or
12 related documents which have not been filed, attention is directed to
13 35 U.S.C. § 135(c) and 37 C.F.R. § 41.205.

/Richard E. Schafer/)
RICHARD E. SCHAFER)
Administrative Patent Judge)

/Jameson Lee/)
JAMESON LEE)
Administrative Patent Judge)

/Richard Torczon/)
RICHARD TORCZON)
Administrative Patent Judge)

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INTERFERENCES

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